IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.266 OF 2002
IN
INCOME TAX APPLICATION (LODG.) NO.5 OF 2002

The Commissioner of Income-tax ..Applicant.

V/s.

Photophne Limited ..Respondent.

Mr.S.M.Shah for applicant.

None for respondent.

CORAM : H.L.GOKHALE AND
J.P.DEVADHAR, JJ.

DATED : 3RD OCTOBER, 2006.

P.C. :-

Heard M.Shah in support the Motion. The Motion seeks condonation of delay of 36 days in filing the application. The Motion has been served on the respondent. The affidavit of service has been filed. None is present for the respondent. We accept the explanation given in the supporting affidavit.

In the circumstances, the Motion is allowed. Delay condoned. Application be numbered and listed for admission on 16th October, 2006.

Respondent to be served once again.

(H.L.GOKHALE, J.)

(J.P.DEVADHAR, J.)